

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/(954) 797-1101
Prepared by: Annie Feng, Planner II

SUBJECT: P 5-2-03, Chemin Des Palms II, Ghasem Khavanin/Mario Vita, 5559 SW 61 Avenue, generally located on the west side SW 61 Avenue between Griffin Road and Stirling Road.

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS CHEMIN DES PALMS II AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

REPORT IN BRIEF:

The subject site consists of 1.67 net acres, and is zoned R-2, Low Density Dwelling District with an underlying Land Use classification of Residential 2 (2 DU/AC). It is located at the west side of SW 61 Avenue, between Griffin Road and Stirling Road. It is adjacent to the development known as Chemin Des Palms consisting of 12 single-family homes. The developer, Sunshine Estates Builders, has recently bought the subject site and is requesting to plat the parcel into three single-family lots. The applicant has recorded a deed restriction to make the subject parcel part of the Sunshine Estate Association for the existing Chemin Des Palms. The original Chemin Des Palms Plat was approved by the Town Council on October 5, 1994 for 12 homes on 6.595 gross acres. The subject site (the last three (3) lots) was under separate ownership at the time. This plat will rejoin the entire parcel and site plan together as 15 lots on 8.375 gross acres.

The plat is restricted to three (3) single-family detached units. Lot 1 is 32,340 square feet, Lots 2 and 3 are 17,655 square feet. All of the three lots meet the minimum required lot size of 17,500 square feet for R-2, Low Density Dwelling District. An additional 30 feet of road right-of-way is dedicated to the Town of Davie along the west side of SW 61 Avenue making the ultimate right-of-way 60 feet in width. Ten-foot (10') utility easements are provided along the perimeter lines of the subject property. A 70-foot wide drainage easement along the east side of Lot 1, a 28-foot drainage easement along the north property line, and 15-foot drainage easements between the lots are dedicated to Central Broward Water Control District to satisfy drainage requirements for the proposed single-family homes.

Access is via the private ingress-egress easement owned by the Sunshine Estate Association. This ingress-egress easement was created on the Plat of Chemin Des Palms for 12 single-family

homes and recorded in Official Records Book 32438, at Page 27 of the Public Records of Broward County.

The proposed plat complies with Town of Davie Comprehensive plan and Land Development Code in terms of density, access, use, location, and dedications. It is also consistent with the surrounding single-family uses.

PREVIOUS ACTIONS: None

CONCURRENCES: At the July 28, 2004 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve subject to staff's comments in the planning report (Motion carried 5-0).

FISCAL IMPACT: None

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.

Attachment(s): Plat, Resolution, Future Land Use Map, Zoning and Aerial Map

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT KNOWN AS CHEMIN DES PALMS II AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat of the subdivision to be known as Chemin Des Palms II has been approved by the Town Planning and Zoning Board on July 28, 2004.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat of the subdivision known as Chemin Des Palms II is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2004.

Application #: P 5-2-03, Chemin Des Palms II
Exhibit "A"

Revisions: 7/30/04
Original Report Date: 7/19/04

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: Mario Vita
Address: 9520 Harding Avenue
City: Surfside, FL 33154
Phone: (305) 864-2543

Agent:

Name: Ghasem Khavanin
Address: 11900 SW 11 Court
City: Davie, FL 33325
Phone: (954) 224-1380

Background Information

Application History: No deferrals have been requested.

Planning and Zoning Board Recommendations: At the July 28, 2004 Planning and Zoning Board meeting, the Board made a motion to approve the plat application.

Application Request: Approval of the resolution for the proposed plat known as Chemin Des Palms

Address/Location: 5559 SW 61 Avenue, generally located on the west side SW 61 Avenue between Griffin Road and Stirling Road.

Future Land Use Plan Designation: Residential (2 DU/AC)

Existing Zoning: R-2, Low Density Dwelling District

Existing Use: Vacant

Proposed Use: Three (3) Single-Family homes

Parcel Size: 1.67 net acres
1.78 gross acres

Surrounding Use:

North: Single-family Homes
South: Single-family Homes
East: Single-family Homes
West: Single-family Homes

Surrounding Land

Use Plan Designation:

Residential (2 DU/AC)
Residential (2 DU/AC)
Residential (1 DU/AC)
Residential (2 DU/AC)

Surrounding Zoning:

North: R-2, Low Density Dwelling District

South: R-2, Low Density Dwelling District

East: A-1, Agricultural District

West: R-2, Low Density Dwelling District

Zoning History

Related Zoning History:

Town Council approved the Plat, Chemin Des Palms, on October 5, 1994 for 12 single-family homes located south and west of the subject parcel. The proposed Plat, Chemin Des Palms II, is under the same Home Owners Association, Sunshine Estates Association.

Applicable Codes and Ordinances

Section 12-360(B) of the Land Development Code, platting requirements.

Section 12-363 through Section 12-367, Plat Administration.

Comprehensive Plan Considerations

Planning Area: The subject property is within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

Broward County Land Use Plan: The proposed plat is in Flexibility Zone 102.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 1: Land Development Regulations, Policy 1-6:* Platting shall be required, pursuant to the Plan Implementation Section of this Plan.

Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2: The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

Significant Development Review Agency Comments

Engineering:

1. The proposed plat does not appear to have a legal access to the existing private ingress/egress adjacent to the south plat limit (previous comment dated 10/27/03). A

shared ingress/egress access easement shall be recorded and must be shown on the face of this plat. (A deed restriction has been recorded to satisfy this comment.)

This item has been satisfied.

2. Provide a traffic calming device on SW 61 Avenue. (Applicant has contributed for the construction cost of a traffic calming device on S.W. 61 Avenue.)

This item has been satisfied.

Application Details and Staff Analysis

The applicant's submission indicates the following:

1. *Site:* The subject site consists of 1.67 net acres. It is located at the west side of SW 61 Avenue, between Griffin Road and Stirling Road. The plat is for three (3) single-family lots. Lot 1 is 32,340 square feet, Lots 2 and 3 are 17,655 square feet. All of the three lots meet the minimum required lot size of 17,500 square feet for R-2, Low Density Dwelling District.
 2. *Restrictive Note:* The plat is restricted to three (3) single-family detached units.
 3. *Dedications:* A 30-foot-wide road right-of-way along the west side of SW 61 Avenue is dedicated to the Town of Davie. The existing pavement for SW 61 Avenue adjacent to the plat is 30 feet. The 30-foot dedication will make the ultimate right-of-way 60 feet in width.
 4. *Access:* Access is via the private ingress-egress easement owned by the Sunshine Estate Association (the developer). This ingress-egress easement was created on the Plat of Chemin Des Palms for 12 single-family homes and recorded in Official Records Book 32438, at Page 27 of the Public Records of Broward County. The applicant has recorded a deed restriction to make the subject parcel part of the Sunshine Estate Association, which is entitled to use this ingress-egress easement.
 5. *Trail:* There are no trails along SW 61 Avenue on the Town Official Trail Map.
 6. *Easements:*
 - Ten-foot (10') utility easements are provided along the perimeter lines of the subject property.
 - A 70-foot wide drainage easement along the east side of Lot 1 is dedicated to Central Broward Water Control District. In addition, a 28-foot drainage easement along the north property line and 15-foot drainage easements between the lots are also dedicated to Central Broward Water Control District to satisfy drainage requirements for the proposed single-family homes.
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Staff Analysis and Findings of Fact

The proposed plat complies with Town of Davie Comprehensive plan and Land Development Code in terms of density, access, use, location, and dedications. It is also consistent with the surrounding single-family uses.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

3. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
 4. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.
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Planning and Zoning Board Recommendation

At the July 28, 2004 Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Vice-Chair Turin, to approve subject to staff's comments in the planning report (Motion carried 5-0).

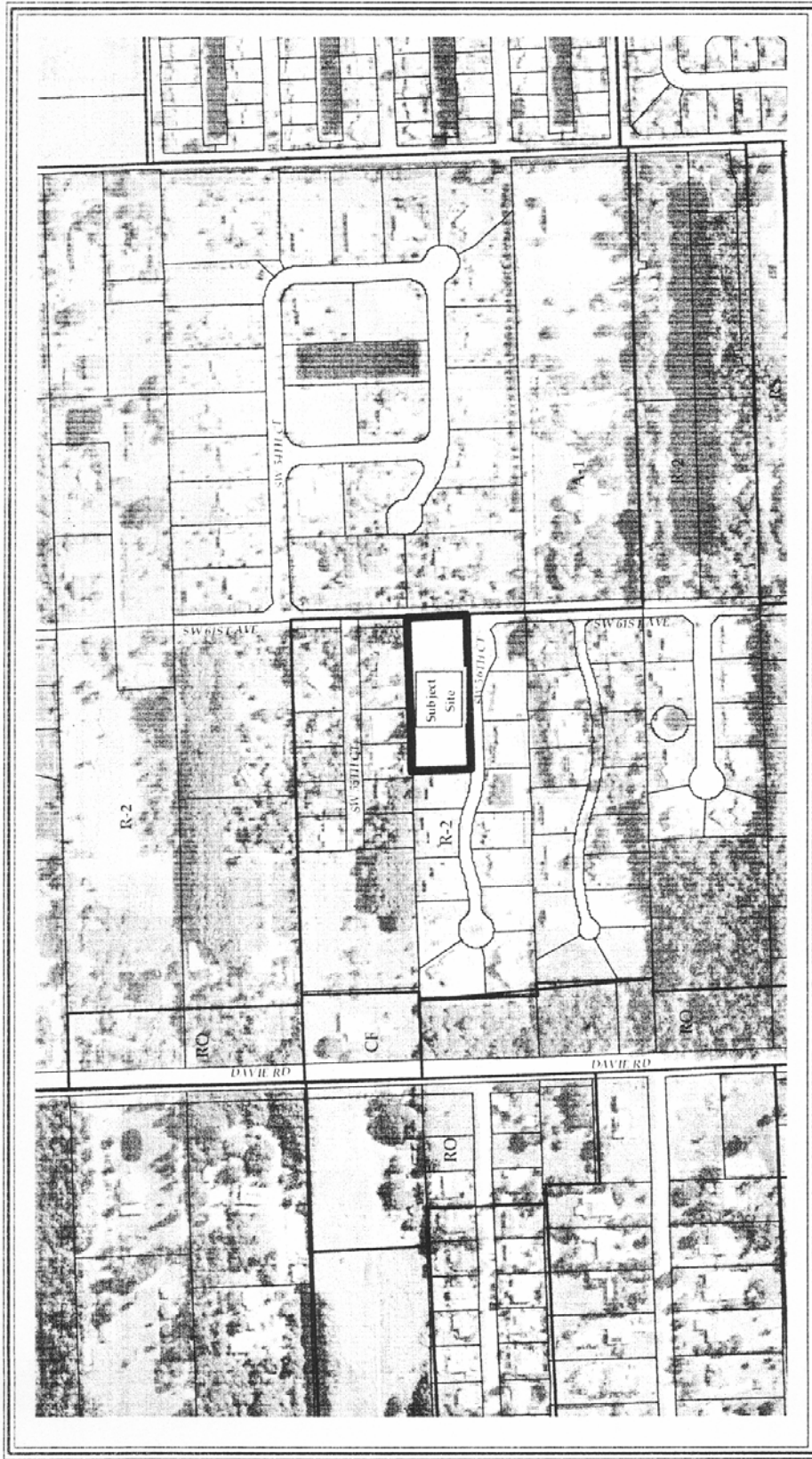
Town Council Action

Exhibits

- 1) Plat
- 2) Future Land Use Map
- 3) Subject Site, Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____



The Town of Davie
Development Service Department
Planning & Zoning Division



Plat Application
P 5-2-03, Chemin Des Palms II
Subject Site, Aerial & Zoning Map

Prepared By: D.M.A.
Date Prepared: 7/23/04



Plat Application
P 5-2-03, Chemin Des Palms II
Future Land Use Map

Prepared By: D.M.A.
Date Prepared: 7/23/04



The Town of Davie
Development Service Department
Planning & Zoning Division



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